

EIGHTH DAY
(Wednesday, January 26, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent: Santiesteban.

A quorum was announced present.

The Reverend Dr. Browning Ware, First Baptist Church, Austin, offered the invocation as follows:

Eternal God, Father of all persons,
How do You call Your world to order if not through persons who do justly,
love mercy and walk humbly with God?

Today, as we wrestle with assignments and anticipate achievements, remind us of our promises, particularly to those who sent us here and, above all, promises to You who gives life, forgiveness and responsibility.

We thank You for being intimately concerned with our own personal needs which serve as reminders we, too, are vulnerable persons.

Give us both desire and courage for Your companionship so that this shall be neither the first nor last prayer of our day. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

REPORTS OF STANDING COMMITTEES

Senator Snelson submitted the following report for the Committee on Intergovernmental Relations:

S.B. 324

Senator Mauzy submitted the following report for the Committee on Education:

S.B. 188

S.B. 81

C.S.S.B. 250 (Read first time)

Senator Schwartz submitted the following report for the Committee on Jurisprudence:

C.S.S.B. 217 (Read first time)

C.S.S.B. 76 (Read first time)

C.S.S.B. 66 (Read first time)

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.B. 362 by Meier Intergovernmental Relations
Authorizing joint airport boards created by certain cities pursuant to Article 46d, Vernon's Texas Civil Statutes, as amended, to apply for and create foreign trade zones and sub-zones in accordance with applicable federal law; authorizing the operation and maintenance of the same, granting necessary powers, and declaring an emergency.

S.B. 363 by Ogg Economic Development
Relating to requiring the regulations of the Consumer Credit Commissioner dealing with pawnbrokers to provide for adequate identification of pledgors and specifying certain requirements; and amending Section 9, Chapter 894, Acts of the 62nd Legislature, Regular Session, 1971 (Article 5069-51.09, Vernon's Texas Civil Statutes), by adding a Subsection (c).

S.B. 364 by Ogg Finance
Relating to inheritance tax exemptions for a child of a last surviving parent; amending Article 14.02, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 365 by Ogg Jurisprudence
Changing the name of the State Judicial Qualifications Commission to the State Commission on Judicial Conduct, and relating to witness fees to be paid by the commission, the authority of a master to enforce a subpoena or grant immunity to a witness, and compensation payable to a master; amending Sections 1, 4, 8, 9, 10, 12, and 14, Chapter 516, Acts of the 60th Legislature, Regular Session, 1967 (Article 5966a, Vernon's Texas Civil Statutes).

S.B. 366 by Ogg Finance
Exempting from the Motor Vehicle Sales Tax the receipts from the sale or rental and the use of certain vehicles designed for transportation of persons confined to wheel chairs; amending Article 6.09, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended by adding Section (3).

S.B. 367 by Ogg Intergovernmental Relations
Relating to residence requirements for city employees.

S.B. 368 by Ogg Intergovernmental Relations
Relating to the creation of seven judicial districts, each composed of Harris County; amending Subchapter C, Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes), by adding Sections 3.073 through 3.079.

S.B. 369 by Williams Jurisprudence
Relating to the transfer of certain prisoners to the Department of Corrections pending appeal and to denial of bail pending the appeal; amending Section 4 and repealing Section 5, Article 42.09, Code of Criminal Procedure, 1965, as amended; and declaring an emergency.

S.B. 370 by Harris Economic Development

To amend the law related to trusts and trustees, Title 125A Trust and Trustees, Revised Civil Statutes of Texas, by adding a new Article to be Article 7425 a-3 relating to the deposit of securities with the Federal Reserve Bank or with a clearing corporation; and declaring an emergency.

S.B. 371 by Harris

Economic Development

Relating to the deposit of and accounting for securities by designated State Depositories with the Federal Reserve Bank of Dallas; amending Article 2530, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency.

S.B. 372 by Jones of Taylor

Jurisprudence

Relating to workmen's compensation; amending Article 8306, Revised Civil Statutes of Texas, 1925, as amended, as follows: adding Section 12j; amending Sections 6, 7, 7c, 7d, 8(c) and (d), 8a, 10, 11, 12, 12b, 12c, 12c-1, 12e, 15, 21, and 29; amending Article 8307, Revised Civil Statutes of Texas, 1925, as amended, as follows: amending Sections 5, 5a, 10, 12, and 13(a), (b), (c), and (g); amending Chapter 208, General Laws, Acts of the 42nd Legislature, Regular Session, 1931 (Article 8307a, Vernon's Texas Civil Statutes); and amending Sections 1 and 2 of Article 8309, Revised Civil Statutes of Texas, 1925, as amended.

S.B. 373 by Traeger

Natural Resources

Relating to the aggregate amount of Water Development Bonds for water quality enhancement purposes which may be issued pursuant to Article III, Section 49-d-1 of the Texas Constitution as amended; and declaring an emergency.

S.B. 374 by Schwartz

Natural Resources

Relating to compensation of commissioners of certain navigation districts; amending Section 63.098, Water Code.

S.B. 375 by Hance

Human Resources

Relating to fraud in obtaining public assistance or in obtaining information concerning public assistance; providing penalties; amending Sections 10 and 12 of, and adding Sections 12-A and 12-B to, The Medical Assistance Act of 1967 (Article 695j-1, Vernon's Texas Civil Statutes).

S.B. 376 by Hance

Jurisprudence

Relating to the defense of and payment of damages in certain causes of action against certain state officers and employees; amending Subsection (a), Section 1, Chapter 309, Acts of the 64th Legislature, Regular Session, 1975 (Article 6252-26, Vernon's Texas Civil Statutes).

S.B. 377 by Hance

Human Resources

Relating to penalties for unlawful fees for representing an applicant before the State Department of Public Welfare, for unlawful disclosure of welfare information, and for obtaining assistance by fraud; amending Subsection (2) of Section 32, Subsection (1) of Section 33, and Section 34, The Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes).

S.B. 378 by Hance

Human Resources

Relating to the transfer of assets by recipients of or applicants for medical assistance; amending the Medical Assistance Act of 1967, as amended (Article 695j-1, Vernon's Texas Civil Statutes), by adding Section 12A.

S.B. 379 by Hance Human Resources
Relating to penalties for certain unauthorized uses of food stamp coupons and authorizations to purchase food stamp coupons; amending the Public Welfare Act of 1941, as amended (Article 695c, Vernon's Texas Civil Statutes), by adding Section 7-B.

S.B. 380 by Hance Jurisprudence
Relating to the time limitation for a suit to establish paternity; repealing Section 13.01, Family Code, as amended.

S.B. 381 by Sherman Intergovernmental Relations
Authorizing Randall County to hold an election to consolidate the offices of county treasurer and county auditor; and declaring an emergency.

S.B. 382 by Sherman Finance
Relating to a sales and use tax exemption for items sold at certain sales by charitable organizations; amending Article 20.04, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, by adding Section (GG).

S.B. 383 by Sherman Intergovernmental Relations
Relating to the state library system; amending Subsection (b)' of Section 7, Subsection (b) of Section 9, Subsection (b) of Section 10, and Subsection (c) of Section 17, Library Systems Act (Article 5446a, Vernon's Texas Civil Statutes).

S.B. 384 by Schwartz Economic Development
Amending Article 21.49 of the Texas Insurance Code; providing a performance standard for building specifications; creating an advisory committee to establish methods for reaching the performance standard and avenues for communicating those methods, and providing for enforcement and administration of this Act; and declaring an emergency.

S.B. 385 by Schwartz Economic Development
Relating to the disclosure of natural hazards connected with real property in coastal counties to be sold using the services of a real estate agent; establishing the Natural Hazards Technical Committee; providing for implementation by the Texas Real Estate Commission; providing remedies and penalties for noncompliance; and declaring an emergency.

S.B. 386 by Parker Economic Development
Relating to compensation of workmen engaged in public construction work; repealing Chapter 45, General Laws, Acts of the 43rd Legislature, Regular Session, 1933, as amended (Article 5159a, Vernon's Texas Civil Statutes).

S.B. 387 by Jones of Harris Jurisprudence
Relating to continuing legal education of municipal court judges who are either elected or appointed.

S.B. 388 by Jones of Harris Economic Development
Relating to legal holidays for banks or trust companies; amending Section 2, Chapter 230, Acts of the 50th Legislature, Regular Session, 1947, as amended (Article 342-910a, Vernon's Texas Civil Statutes); and declaring an emergency.

S.B. 389 by Jones of Harris Jurisprudence

Relating to misdemeanor probation; amending Article 42.13, Code of Criminal Procedure, 1965, as amended, by adding Section 9.

S.B. 390 by Jones of Harris Human Resources
Providing minimum precautions to be taken by public utilities in relation to entering manholes; providing penalties for violations; and declaring an emergency.

S.J.R. 30 by Ogg Jurisprudence
Proposing an amendment to the Texas Constitution changing the name of the State Judicial Qualifications Commission to the State Commission on Judicial Conduct, and relating to the commission and the powers and proceedings of the commission, a master, and the supreme court, or court of civil appeals justices serving in place of the supreme court, for the suspension, censure, removal or involuntary retirement of a justice, judge, or justice of the peace under certain circumstances.

S.J.R. 31 by Sherman State Affairs
Proposing a constitutional amendment to set the period during which the terms of appointed state officers expire; adding Section 29A to Article XVI, Sections 30 and 30a.

S.J.R. 32 by Sherman Finance
Proposing an amendment to Article IV, Section 9, of the Texas Constitution, to permit the legislature to give budget execution authority to the governor.

S.J.R. 33 by Sherman State Affairs
Proposing an amendment to Article IV, of the Texas Constitution, to give the governor limited power to remove appointed officers.

S.J.R. 34 by Parker Jurisprudence
Proposing an amendment to the Texas Constitution, relating to the State Judicial Qualifications Commission and the powers and proceedings of the commission, a master, and the supreme court for the suspension, censure, removal, or involuntary retirement of a justice, judge, or justice of the peace under certain circumstances.

S.C.R. 21 by Ogg Economic Development
Requesting the State Highways and Public Transportation Commission replace the sign, "Slower Traffic Keep Right," with one to read, "Left Lane for Passing Only."

S.R. 82 by Schwartz Natural Resources
Urging Congress to evaluate all aspects of public financing or other support of transportation facilities in United States.

CO-AUTHORS OF SENATE BILL 66

On motion of Senator Doggett and by unanimous consent, Senators Parker and Truan will be shown as Co-authors of **S.B. 66**.

NOTICE OF EXECUTIVE SESSION

Senator McKnight gave Notice that he would move for an Executive Session at 11:00 a.m. tomorrow.

SENATE RESOLUTION 79

Senator Schwartz offered the following resolution:

S.R. 79, Commending groups and agencies making up Hurricane Awareness Program; requesting their report and recommendations to 66th Legislature by January 1, 1979.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

SENATE RESOLUTION 80

Senator Schwartz offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, That Rule 78 of the Rules of the Senate of the 65th Legislature be amended by substituting the following subsection (b) for the present subsection (b) in Rule 78 thereof.

“(b) Petitions, Concurrent and Joint Resolutions, and Resolutions setting or defining legislative or State policy shall be referred to an appropriate standing committee when introduced and shall not be considered immediately unless the Senate so directs by a two-thirds vote of the Members present. The motion to consider such petition or resolution immediately is not debatable. Any such petition or concurrent or simple resolution shall only be passed by a vote of four-fifths of the Members elected to the Senate.”

The resolution was read.

Senator Schwartz moved that **S.R. 80** be adopted.

The motion was lost by the following vote: Yeas 14, Nays 14.

Yeas: Adams, Braecklein, Brooks, Clower, Doggett, Farabee, Hance, Jones of Harris, Kothmann, Lombardino, Longoria, Schwartz, Truan, Williams.

Nays: Aikin, Andujar, Creighton, Harris, Jones of Taylor, Mauzy, Meier, Mengden, Ogg, Parker, Patman, Sherman, Snelson, Traeger.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

S.R. 80 was then referred to the Committee on Administration.

SENATE CONCURRENT RESOLUTION 22 ON SECOND READING

Senator Meier asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.C.R. 22, Commending broadcasters who have determined not to broadcast executions when death penalty is effected in Texas.

There was objection.

Senator Meier then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.C.R. 22** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Ogg, Parker, Patman, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Jones of Harris, Mauzy, Mengden.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

The resolution was read and was adopted.

RECORD OF VOTES

Senators Mauzy and Mengden asked to be recorded as voting "Nay" on the adoption of the resolution.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations.

Austin, Texas
January 26, 1977

TO THE SENATE OF THE SIXTY-FIFTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a Member of the STATE BANKING BOARD: For a two-year term to expire January 31, 1977: Mr. Sam E. Carter of Temple, Bell County is replacing Mr. James L. Lindsey of College Station, Brazos County whose term expired.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

COMMUNICATIONS RELATIVE TO COMMITTEE APPOINTMENTS

January 25, 1977

Dear Governor Hobby:

I respectfully request permission to relinquish my position on the Subcommittee on Civil Matters of the Committee on Jurisprudence; and, ask to be appointed to a position on the Subcommittee on Criminal Matters.

This request is based on my general interest in criminal matters and specifically my interest in legislation which has been or will be referred to that subcommittee.

Respectfully,
Gene Jones

January 25, 1977

The Honorable Lt. Governor
The Governor's Office
Capitol Building
Austin, Texas 78711

Dear Governor Hobby:

This is a formal request to be transferred from the Subcommittee on Criminal Jurisprudence to the Subcommittee on Civil Jurisprudence. As I indicated to you, there are a number of matters that will arise in the Civil Jurisprudence Subcommittee which are of particular interest to me.

I've discussed this matter with both subcommittee chairman involved and the chairman of the Jurisprudence Committee, as well as Senator Gene Jones whom I understand would like to serve on the Criminal Jurisprudence Subcommittee.

Sincerely,
Lloyd Doggett

COMMITTEE APPOINTMENTS

The President announced the following Committee appointments:

Senator Lloyd Doggett to the Jurisprudence Subcommittee on Civil Matters, replacing Senator Gene Jones, who resigned.

Senator Gene Jones to the Jurisprudence Subcommittee on Criminal Matters, replacing Senator Lloyd Doggett, who resigned.

SENATE BILL 109 ON SECOND READING

Senator Mengden asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 109, A bill to be entitled An Act relating to the use of an alias driver's license by a law enforcement officer under certain circumstances; amending Section 32, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes).

There was objection.

Senator Mengden then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 109** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Mauzy, Sherman.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mauzy and Sherman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 109 ON THIRD READING

Senator Mengden moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 109** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Mauzy, Sherman.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino,

Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Aikin, Mauzy, Sherman.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

MOTION TO PLACE SENATE BILL 114 ON SECOND READING

Senator Mengden asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 114, A bill to be entitled An Act permitting a voter who expects to serve as a poll watcher in an election precinct other than the precinct of his residence to vote absentee by personal appearance; amending Paragraph (a), Subdivision 1, Section 37, Texas Election Code, as amended (Article 5.05, Vernon's Texas Election Code).

There was objection.

Senator Mengden then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 114** for consideration at this time.

The motion was lost by the following vote (Not receiving four-fifths vote of the Members of the Senate): Yeas 19, Nays, 9.

Yeas: Adams, Aikin, Andujar, Brooks, Creighton, Doggett, Harris, Jones of Taylor, Kothmann, Lombardino, Mauzy, Meier, Mengden, Ogg, Schwartz, Sherman, Traeger, Truan, Williams.

Nays: Bracklein, Clower, Farabee, Hance, Jones of Harris, Longoria, Parker, Patman, Snelson.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

COMMITTEE SUBSTITUTE SENATE BILL 95 ON SECOND READING

Senator Traeger asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

C.S.S.B. 95, A bill to be entitled An Act relating to providing retirement annuity insurance and group life, accident, and health insurance for employees of public community/junior colleges and state senior colleges and universities as defined in the Act and retired employees as defined in the Act; designating this Act as the "Texas State College and University Employees Uniform Insurance Benefits Act"; defining terms; providing for and vesting authority in an administrative council within the Coordinating Board, Texas College and University System to

implement, administer, and carry out the purposes of the Act; providing for an advisory committee; placing certain responsibilities on the commissioner of higher education, on participating institutions, and insurance carriers; authorizing coverage for dependents; specifying the sources for payment of premiums and providing for allocation and appropriation of the contribution by the state; protecting interests of insureds against execution, attachment, garnishment, or any other process; providing order of precedence in payment of death claims; stating the applicability of open-records and open-meetings laws and rights of privacy; providing a repealing clause; providing an effective date; making the provisions of this Act severable; and declaring an emergency.

There was objection.

Senator Traeger then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **C.S.S.B. 95** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Doggett and Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 95 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 95** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy, Sherman.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

SENATE BILL 93 ON SECOND READING

Senator Traeger asked unanimous consent to suspend the regular order of business and Section 5 of Article III of the State Constitution to take up for consideration at this time:

S.B. 93, A bill to be entitled An Act relating to the Texas Employees Uniform Group Insurance Benefits Act; amending Chapter 79, Acts of the 64th Legislature, Regular Session, 1975 (Article 3.50-2, Texas Insurance Code), providing for the continued exclusion of employees and appointive officers of universities, senior or junior colleges, and other agencies of higher education from the Texas Employees Uniform Group Insurance Benefits Act; and declaring an emergency.

There was objection.

Senator Traeger then moved to suspend the regular order of business and Section 5 of Article III of the State Constitution and take up **S.B. 93** for consideration at this time.

The motion prevailed by the following vote: Yeas 24, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy, Sherman.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

The President then laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

RECORD OF VOTES

Senators Mauzy, Doggett and Sherman asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

SENATE BILL 93 ON THIRD READING

Senator Traeger moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 93** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy, Sherman.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Meier, Mengden, Ogg, Parker, Patman, Schwartz, Snelson, Traeger, Truan, Williams.

Nays: Clower, Doggett, Mauzy, Sherman.

Present-Not Voting: McKnight, Moore.

Absent: Santiesteban.

MEMORIAL RESOLUTIONS

H.C.R. 16 (Creighton): Memorial resolution for Former Representative Henry Grady Perry.

S.C.R. 23 - By Brooks, Jones of Harris, Williams: Memorial resolution for Dr. Walter A. Quebedeaux, Jr.

S.R. 75 - By Adams: Memorial resolution for M. A. (Buddy) Anderson.

S.R. 78 - By Brooks: Memorial resolution for Robert W. Kneebone.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 76 - By Adams: Extending congratulations to Tim Baldree and Jerry Mansfield.

S.R. 77 - By Ogg: Extending welcome to Anne and Don Gravink and Kathy, Jay, and DeWitt Gravink.

S.R. 81 - By Mengden, Ogg: Extending congratulations to 1976 Strake Jesuit College Preparatory Fighting Crusader Football Team.

S.R. 83 - By Schwartz: Extending welcome to Mark Snider, Lynn Gibson, and Jimmy Arnold.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:38 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

NINTH DAY

(Thursday, January 27, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Taylor, Kothmann, Lombardino, Longoria, Mauzy, McKnight, Meier, Mengden, Moore, Parker, Patman, Santiesteban, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Jones of Harris, Ogg, Schwartz.

A quorum was announced present.

The Right Reverend Archemandrite Mark Pemberton, St. Elias Eastern Orthodox Church, Austin, offered the invocation as follows:

O Lord, who blesses those who bless Thee, and sanctifies those who put their trust in Thee: Save Thy people and bless Thine inheritance. Preserve the fullness of Thy church. Sanctify those who love the beauty of Thy house; glorify them in return